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C&S Logistics of Hawaii, LLC,

C&S Wholesale Grocers, Inc.,

C&S Acquisitions, LLC,

ES3, LLC and Richard Cohen

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

WAYNE BERRY, a Hawaii citizen;

Plaintiff,

vs.

HAWAIIAN EXPRESS SERVICE,
INC., et al.,

Defendants.

) CIVIL NO. CV03-00385 SOM-LEK

) (Copyright)

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) DEFENDANTS C&S LOGISTICS OF

) HAWAII, LLC, C&S WHOLESALE

) GROCERS, INC., C&S

) ACQUISITIONS, LLC, ES3, LLC AND

) RICHARD COHEN'S *EX PARTE*

) MOTION TO SHORTEN TIME;

) DECLARATION OF LEX R. SMITH;

) EXHIBIT "A"; CERTIFICATE OF

) SERVICE

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DEFENDANTS C&S LOGISTICS OF HAWAII, LLC, C&S WHOLESALE
GROCERS, INC., C&S ACQUISITIONS, LLC, ES3, LLC AND RICHARD
COHEN'S *EX PARTE* MOTION TO SHORTEN TIME FOR HEARING

Defendants C&S Logistics of Hawaii, LLC, C&S Wholesale Grocers, Inc., C&S Acquisitions, LLC, ES3, LLC and Richard Cohen ("Defendants"), by and through their attorneys, Kobayashi, Sugita & Goda, hereby move this Honorable Court for an Order shortening the time for hearing of Defendants' Motion to Compel Wayne Berry to Comply with Order for Judgment Debtor Examination ("Motion to Compel"), filed concurrently with this Motion.

This Motion is made pursuant to Federal Rules of Civil Procedure Rule 7 and is based upon the Declaration of Lex R. Smith attached hereto and incorporated by reference herein.

DATED: Honolulu, Hawaii, June 15, 2007

KOBAYASHI, SUGITA & GODA /s/ Thomas H. Yee

BERT T. KOBAYASHI, JR.
LEX R. SMITH
THOMAS H. YEE
Counsel for Defendants
C&S Logistics of Hawaii, LLC,
C&S Wholesale Grocers, Inc.,
C&S Acquisitions, LLC,
ES3, LLC and Richard Cohen